

REMARKS/ARGUMENTS

Claims 7-18 are pending. Claims 1-6 have been canceled without prejudice. Claims 7 and 13 have been amended. Claim 17 is withdrawn pursuant to the restriction requirement. The specification and drawings have been amended to correct minor informalities. No new matter has been introduced. Applicants believe the claims comply with 35 U.S.C. § 112.

Claims 7-16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Macken (USP 4,458,133). The Examiner alleges that AAPA teaches a process of trimming a rubber plate configured to be placed on a platform of an ion implanter which includes a plurality of primary holes and a plurality of primary notches, the process comprising providing the rubber plate attached to the platform and trimming the rubber plate using the platform as the guide to form a plurality of secondary holes and notches corresponding to the primary holes and notches of the platform as shown in Figs. 1a-1c. The Examiner acknowledges that AAPA fails to teach a template having a plurality of holes and a plurality of notches corresponding to the primary holes and notches of the platform as the guide to trim the rubber plate, and cites Macken for allegedly supplying the missing teaching.

Applicants respectfully submit that independent claim 7 is patentable because, for instance, the cited art does not teach or suggest, prior to placing the rubber plate on the platform of the ion implanter, trimming the rubber plate using the template as a guide to form a plurality of tertiary holes in the rubber plate corresponding to the plurality of secondary holes of the template and to form a plurality of tertiary notches in the rubber plate corresponding to the plurality of secondary notches of the template.

The Examiner's AAPA teaches "attaching the rubber plate 30 to the platform 10 (Fig. 1b) and then trimming off unwanted parts from the rubber plate 30 (Fig. 1c)." Specification at page 1, lines 21-22. Macken merely discloses a laser apparatus for use in laser cutting of a plurality of sheets of smoke-sensitive, heat-sensitive material in aligned stacked relation. Neither the AAPA nor Macken teaches or suggests trimming the rubber plate using a template prior to placing the rubber plate on the platform of the ion implanter. As the inventors discovered, "by applying the method of the present invention, damage to the platform and uneven cooling of the

wafer due to uneven attachment between the wafer and the platform are reduced. Thus, the efficiency and life span of the ion implanter is increased." Specification at page 5, lines 18-20.

Applicants believe the rejection has been made with the benefit of hindsight reconstruction of the claimed invention. Federal Circuit "case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references." *In re Dembicza*k, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999) (citations omitted). Applicants respectfully assert that the Examiner has not made the required showing.

In this case, the inventors recognized the problems of damage caused to the platform and debris produced by trimming off unwanted parts from the rubber plate after placing the rubber plate on the platform. The inventors came up with the solution of trimming the rubber plate using a template prior to placing the rubber plate on the platform of the ion implanter.

Applicants believe the rejection benefits from the exercise of hindsight since nothing in the cited art suggests the solution proposed by the inventors. To guard against the tempting trap of hindsight, the evidence of a suggestion, teaching, or motivation to combine "must be clear and particular." *Dembicza*k, 50 U.S.P.Q.2d at 1617 (citation omitted). "Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence.'" *Id.* (citations omitted). The Examiner has not pointed to any "clear and particular" suggestion or motivation to combine the teachings in the manner suggested by the Examiner. Applicants respectfully assert that the Examiner has simply pieced together distinct teachings of multiple references based on the present disclosure. "Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability--the essence of hindsight." *Id.* (citing *Interconnect Planning Corp. v. Feil*, 227 U.S.P.Q. 543, 551 (Fed. Cir. 1985)). Just because the two components or techniques may be used together does not constitute evidence of a motivation to combine them.

For at least the foregoing reasons, claim 7 and claims 8-12 depending therefrom are patentable.

Claims 10, 11, 13-16, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Macken, and further in view of Bauer (USP 5,744,776). The Examiner cites Bauer for allegedly disclosing a process of trimming a layer with a laser controlled by robot and computer.

Applicants respectfully submit that independent claim 13 is patentable because, for instance, the cited art does not teach or suggest, prior to placing the rubber plate on the platform of the ion implanter, automatically controlling a trimming member for trimming the rubber plate to form a plurality of tertiary holes in the rubber plate corresponding to the plurality of secondary holes of the template and to form a plurality of tertiary notches in the rubber plate corresponding to the plurality of secondary notches of the template. Bauer does not cure the deficiencies of AAPA and Macken.

Therefore, claims 10, 11, 13-16, and 18 are patentable.

Withdrawn claim 17 depends from claim 13 which is believed to be allowable. Thus, Applicants respectfully request that claim 17 be reinstated and allowed.

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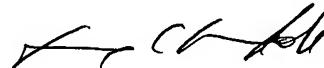
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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